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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number	10/674,914
		Filing Date	September 30, 2003
		First Named Inventor	Bevil J. Hogg
		Art Unit	3736
		Examiner Name	Kristin D. Rogers
Total Number of Pages in This Submission	3	Attorney Docket Number	5236-000452

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## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## Remarks

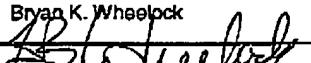
The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Bryan K. Wheelock	Reg. No. 31,441
Signature			
Date	June 21, 2006		

## CERTIFICATE OF TRANSMISSION/MAILING

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/674,914  
Filing Date: September 30, 2003  
Applicant: Bevil J. Hogg  
Group Art Unit: 3736  
Examiner: Kristin D. Rogers  
Title: Method and Apparatus for Improved Surgical Navigation Employing Electronic Identification with Automatically Actuated Flexible Medical Devices  
Attorney Docket: 5236-000452

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## RESPONSE TO RESTRICTION / ELECTION REQUIREMENT

This is in response to the Restriction / Election Requirement of June 1, 2006

## REMARKS

In response to the Restriction Requirement in the Office Action of June 1, 2006, Applicant elects Invention 1, claims 1-17 and 23-41.

In response to the Election of Species Requirement in the Office Action of June 1, 2006, applicant respectfully submits that the election of species is improper and should be withdrawn. Even though the various species may be patentably distinct, the